

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

STEPHEN H. SOKOLOWSKI and
CHRISTOPHER H. SOKOLOWSKI,

Plaintiffs

- against -

DIGITAL CURRENCY GROUP, INC.,
BARRY E. SILBERT, and SOICHIRO
“MICHAEL” MORO,

Defendants.

Electronically Filed

Civil Action No. 4:25-cv-00001

Hon. Karoline Mehalchick

Amended Complaint
filed March 25, 2025

**UNCONTESTED MOTION OF DEFENDANTS DIGITAL
CURRENCY GROUP, INC. AND BARRY E. SILBERT
TO FILE A BRIEF IN EXCESS OF FIFTEEN PAGES**

Defendants Digital Currency Group, Inc. and Barry E. Silbert, (hereinafter the “Moving Defendants”), by and through their undersigned attorneys, request leave to file a brief in excess of 15 pages and 5,000 words as permitted under Local Rule 7.8, and in support thereof aver as follows:

1. The undersigned represents the Moving Defendants in this action asserting a claim under the Pennsylvania Unfair Trade Practices and Consumer Protection Law.

2. On April 8, 2025, the Moving Defendants filed the Motion of Digital Currency Group, Inc. and Barry E. Silbert to Dismiss Plaintiffs’

Amended Complaint (Doc. 25) (the “Motion to Dismiss”).

3. Both Plaintiffs and the Moving Defendants have previously sought, and the Court has previously granted, enlargements of the word counts and page limits otherwise applicable to the briefing in this action under Local Rule 7.8 in light of the length and complexity of the Amended Complaint and its exhibits (Doc. 22), as well as the multiple, independent arguments the Moving Defendants have presented in their briefing in support of the Motion to Dismiss. (*See* Docs. 15, 35, 43.)

4. Most recently, on May 23, 2025, this Court granted Plaintiffs motion for leave to file a consolidated response brief that does not exceed 15,000 words (Doc. 43).

5. Pursuant to that order, on May 27, 2025, Plaintiffs filed a Memorandum of Law in Opposition to Defendants’ Motion to Dismiss (Doc. 44) (“the Opposition”) that is 73 pages long, contains seven principal argument sections and 41 subsections, and cites 115 cases, among other authorities (*see id.* i-xiii). Plaintiffs further attached to their Opposition two appendices (Docs. 44-1 and 44-2) that constitute an additional 18 pages of purported factual and legal arguments.

6. The Moving Defendants conferred with Plaintiffs by email on June 23, 2025 and Plaintiffs do not object to Moving Defendants’ request.

7. Accordingly, the Moving Defendants request permission to file a brief in reply to Plaintiffs opposition to Moving Defendants' Motion to Dismiss that exceeds fifteen (15) pages and 5,000 words, but does not exceed thirty (30) pages and 7,000 words.

WHEREFORE, the Moving Defendants respectfully request that this Honorable Court grant the within Motion to file a brief in reply to Plaintiffs opposition to Moving Defendants' Motion to Dismiss that exceeds fifteen (15) pages and 5,000 words, but does not exceed thirty (30) pages and 7,000 words.

Respectfully submitted,

DAVIS POLK & WARDWELL LLP

By /s/ Benjamin S. Kaminetzky
Benjamin S. Kaminetzky (*admitted pro hac vice*)
Daniel J. Schwartz (*admitted pro hac vice*)
Matthew R. Brock (*admitted pro hac vice*)

450 Lexington Avenue
New York, New York 10017
Telephone: (212) 450-4000
Facsimile: (212) 701-5800
ben.kaminetzky@davispolk.com
daniel.schwartz@davispolk.com
matthew.brock@davispolk.com

– and –

McCORMICK LAW FIRM
Brian J. Bluth, Esquire
PA I.D. 87432
835 West Fourth Street
Williamsport, PA 17701
(570) 326-5131
(570) 601-0768 (fax)
bbluth@mcclaw.com

*Attorneys for Defendants Digital
Currency Group, Inc. and Barry E.
Silbert*

CERTIFICATE OF SERVICE

I hereby certify that the attached ***Motion of Defendants Digital Currency Group, Inc. and Barry E. Silbert to File a Brief in Excess of Five-Thousand Words***, was electronically filed with the court and electronically served upon all counsel on June 24, 2025.

DAVIS POLK & WARDWELL LLP

By /s/ Benjamin S. Kaminetzky
Benjamin S. Kaminetzky (*admitted
pro hac vice*)

450 Lexington Avenue
New York, New York 10017
Telephone: (212) 450-4000
Facsimile: (212) 701-5800
ben.kaminetzky@davispolk.com